

Mississippi Secretary of State
700 North Street P. O. Box 136, Jackson, MS 39205-0136

ADMINISTRATIVE PROCEDURES NOTICE FILING

AGENCY NAME Mississippi Department of Marine Resources		CONTACT PERSON Joe Jewell	TELEPHONE NUMBER 228 523-4072	
ADDRESS 1141 Bayview Avenue		CITY Biloxi	STATE MS	ZIP 39530
EMAIL Joe.jewell@dmr.ms.gov	SUBMIT DATE 2-4-2014	Name or number of rule(s): Title 22, Part 13		

Short explanation of rule/amendment/repeal and reason(s) for proposing rule/amendment/repeal: TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 13 RULES AND REGULATIONS FOR AQUACULTURE IN THE MARINE ENVIRONMENT IN THE STATE OF MISSISSIPPI Chapter 01 Correction to numbering of Section 102, Chapter 02 Corrections to the numbering of Sections 102 and 103. Chapter 04 Sections 100.02, 100.04, 100.7 Chapter 06 added Section 103 and subsections 103.01, 103.02, 103.03, 103.04, 103.05 and 103.06. Chapter 07 Section 100.01 deleted word dept and added correct word depth. Chapter 07 Section 100.01 statement added.

Specific legal authority authorizing the promulgation of rule: Mississippi Code Ann. § 49-15-15, APA, § 25-43-1.101 *et seq.* List all rules repealed, amended, or suspended by the proposed rule: Title 22, Part 13: (see above summary description complete description attached).

ORAL PROCEEDING:

☐ An oral proceeding is scheduled for this rule on Date: _____ Time: _____ Place: _____

☒ Presently, an oral proceeding is not scheduled on this rule.

If an oral proceeding is not scheduled, an oral proceeding must be held if a written request for an oral proceeding is submitted by a political subdivision, an agency or ten (10) or more persons. The written request should be submitted to the agency contact person at the above address within twenty (20) days after the filing of this notice of proposed rule adoption and should include the name, address, email address, and telephone number of the person(s) making the request; and, if you are an agent or attorney, the name, address, email address, and telephone number of the party or parties you represent. At any time within the twenty-five (25) day public comment period, written submissions including arguments, data, and views on the proposed rule/amendment/repeal may be submitted to the filing agency.

ECONOMIC IMPACT STATEMENT:

☒ Economic impact statement not required for this rule. ☐ Concise summary of economic impact statement attached.

TEMPORARY RULES	PROPOSED ACTION ON RULES	FINAL ACTION ON RULES
_____ Original filing _____ Renewal of effectiveness To be in effect in _____ days Effective date: _____ Immediately upon filing _____ Other (specify): _____	Action proposed: _____ New rule(s) <input checked="" type="checkbox"/> Amendment to existing rule(s) _____ Repeal of existing rule(s) _____ Adoption by reference Proposed final effective date: <input checked="" type="checkbox"/> 30 days after filing _____ Other (specify): _____	Date Proposed Rule Filed: Action taken: _____ Adopted with no changes in text _____ Adopted with changes _____ Adopted by reference _____ Withdrawn _____ Repeal adopted as proposed Effective date: _____ 30 days after filing _____ Other (specify): _____

Printed name and Title of person authorized to file rules: Jamie M. Miller, Executive Director

Signature of person authorized to file rules:

Jamie M. Miller

OFFICIAL FILING STAMP	DO NOT WRITE BELOW THIS LINE OFFICIAL FILING STAMP	OFFICIAL FILING STAMP
<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by	<div style="border: 1px solid black; padding: 10px; text-align: center;">  </div> Accepted for filing by 20321 <i>[Signature]</i>	<div style="border: 1px solid black; height: 100px; width: 100%;"></div> Accepted for filing by

The entire text of the Proposed Rule including the text of any rule being amended or changed is attached.

Complete description of proposed changes:

TITLE 22 – MISSISSIPPI DEPARTMENT OF MARINE RESOURCES, PART 13 RULES AND REGULATIONS FOR AQUACULTURE IN THE MARINE ENVIRONMENT IN THE STATE OF MISSISSIPPI

Chapter 01 Correction to numbering of Section 102.

Chapter 02 Corrections to the numbering of Sections 102 and 103.

Chapter 04, added statement: "other than approved on-shore molluscan shellfish facilities" to Sections 100.02, 100.04 and 100.7

Chapter 06 add Section 103: On-Shore Culture. 103.01 On-shore culture of molluscan shellfish includes any aquaculture operation of molluscan shellfish on the mainland and all offshore or barrier islands that involves either the production or grow-out of spat or seed stock, and not intended for direct consumption. 103.02 All on-shore molluscan shellfish aquaculture facilities are required to certify that all stock cultured and originating from sources outside of the State of Mississippi are free of any diseases or parasites harmful to marine organisms. Such certification shall be submitted to the MDMR prior to the operation of the aquaculture facility. 103.03 Prior to the release into the waters of the State of Mississippi, any discharge from an on-shore molluscan shellfish aquaculture facility is required to be treated to eliminate any parasites or diseases harmful to marine organisms. Documentation of this process shall be submitted to the MDMR. 103.04 Prior to the release into the waters of the State of Mississippi, any effluent from an on-shore molluscan shellfish aquaculture facility is required to be treated to reduce to pre-approved limits all chemicals, drugs or any other substance which may be present in the effluent. Documentation of this process shall be submitted to the MDMR. 103.05 Only the culture of species native to the State of Mississippi, including polyploid native species shall be permitted. 103.06 In addition to aforementioned requirements for molluscan shellfish culture, an applicant shall also abide by all relevant MCMR regulations governing shellfish.

Chapter 07 Section 100.01 deleted word ~~dept~~ and added correct word depth. Chapter 07 Section 100.01 added statement: "other than approved on-shore molluscan shellfish facilities."